

1 application status was.

2 Q Okay. Now, on page -- on page 001, the very first  
3 page of the document --

4 JUDGE SIPPEL: Wait just a minute. I have a  
5 question here. You're -- what you're giving him here, this  
6 list on -- attached to your memo is -- that's the universe  
7 of all of the licensing and STAs?

8 MR. BEGLEITER: Well, Your Honor --

9 JUDGE SIPPEL: No?

10 MR. BEGLEITER: -- if I may, there were no STAs --  
11 I think the Witness --

12 BY MR. BEGLEITER:

13 Q Were there any STAs pending at that point?

14 A No, I don't believe there were.

15 MR. BEGLEITER: No.

16 JUDGE SIPPEL: No. Okay, well that's important.  
17 And then these were all licenses then.

18 THE WITNESS: Applications for licenses. They may  
19 not have been new applications. They may have been  
20 modifications to existing transmit sites or amendments to  
21 pending applications. If you'll see in the type, it says M  
22 or A.

23 BY MR. BEGLEITER:

24 Q Now, just to be -- just to be clear, did you know  
25 on April 28th when you -- when this memo was written that

1 there were unauthorized transmissions by Liberty?

2 A No, I did not.

3 JUDGE SIPPEL: Now, I want to ask a follow-up  
4 question on that. Why was this information -- why did he  
5 tell you -- why did Mr. Nourain tell you that he needed this  
6 information?

7 THE WITNESS: For the purpose of requesting  
8 special temporary authority.

9 MR. BEGLEITER: I believe I could ask a couple of  
10 questions that might elicit this.k

11 JUDGE SIPPEL: Okay.

12 BY MR. BEGLEITER:

13 Q At this point, I'm talking about your state of  
14 mind. No one else's. Was there a delay in the process of  
15 the applications?

16 A Yes, there was.

17 Q And what was the cause of the delay?

18 A The cause of the delay was the fact that Time  
19 Warner had petitioned against every pending application that  
20 Liberty had -- Time Warner or Cablevision.

21 Q And have -- had the -- was the emission designator  
22 problem also a cause for delay?

23 A Yes. Yes, it was.

24 Q And did it seem -- I would have characterized it.  
25 But what is the purpose of an STA?

1           A     The purpose of an STA is to permit operation in  
2     lieu of the license in certain circumstances.

3           Q     And you would ordinarily get an STA before you had  
4     a license?

5           A     Yes.

6           Q     So was an STA a way of getting authorization prior  
7     to getting a license?

8           A     Yes, if you had a good reason.

9           Q     And were the licenses being held up at that point?

10          A     Yes.

11          Q     Okay. And what was the reason then for applying  
12     for an STA?

13          A     The reason for applying for an STA was so that  
14     Liberty could operate these paths in lieu of the fact that  
15     they had been delayed.

16          Q     And you have a third paragraph in that -- on that  
17     first page. And I'll read the second sentence on it: "The  
18     Commission staff has indicated, however, that because these  
19     applications are petitioned to deny, they would not be  
20     inclined to grant an STA request. Nevertheless, we feel  
21     that such a request should be made owing to the seriousness  
22     of the situation." First of all, sir, I'd like you to tell  
23     me, what did you mean by "seriousness of the situation"?

24          A     The seriousness of the situation was the fact that  
25     Time Warner and Cablevision had petitioned against every

1 pending application that Liberty had out there.

2 Q Are Time Warner -- to your knowledge, are Time  
3 Warner and Cablevision competitors with Liberty?

4 A Yes, they are.

5 Q And the effect of this petition to deny, the  
6 immediate effect was what on Liberty's ability to -- to get  
7 applications?

8 A To stop them dead in their tracks.

9 Q So what was the purpose of this particular STA  
10 that you were considering on that day?

11 A To authorize operations so that Liberty could  
12 begin operating.

13 MR. HOLT: Your Honor, if I may interject, I was a  
14 little slow. But I would move to strike the Witness'  
15 response with respect to the intentions of Cablevision and  
16 Time Warner for filing these petitions. He has no  
17 understanding of -- about what our clients -- the reasons  
18 why our clients filed these petitions. And he can't fairly  
19 make that assessment.

20 JUDGE SIPPEL: Well, that will -- you know, that  
21 certainly will go to the weight of it. I mean, that's --  
22 that's -- that's far removed from the main issue that we're  
23 concerned about here today.

24 BY MR. BEGLEITER:

25 Q Now, did there come a time after this memorandum -

1 - or did there come a time in which you -- in which you  
2 learned that Liberty had been transmitting without proper  
3 authorization?

4 A Yes.

5 Q Do you remember about when you learned?

6 A It was the beginning of May.

7 Q Okay. Do you remember what triggered your  
8 knowledge?

9 A I had first gotten wind of it through the reply  
10 that Time Warner had filed. They had charged that Liberty  
11 was operating two paths.

12 Q Okay. And do you remember the date of that?

13 A I believe it was May 5th.

14 Q Now, on May 4th, did Liberty file -- did you file  
15 STAs on behalf of Liberty?

16 A Yes, I did.

17 JUDGE SIPPEL: That's 1995.

18 THE WITNESS: That's correct.

19 BY MR. BEGLEITER:

20 Q And, sir, did those STAs indicate that there was  
21 unauthorized transmission?

22 A No, they did not.

23 Q Again, were you aware on May 4th, 1995 that there  
24 were unauthorized transmissions?

25 A No, I was not.

1 Q Do you remember how -- what Time Warner said that  
2 led you to believe that there might be unauthorized  
3 transmissions?

4 A I don't remember specifically. But usually when  
5 somebody makes that charge, you take it fairly seriously.

6 Q All right. Sir, I'd like you to turn -- one  
7 moment. Did -- did procedures change after the first week  
8 in May 1995?

9 A Procedures with respect to the applications?

10 Q Right.

11 A Yes.

12 Q Could you tell us how they changed, sir?

13 A Yes. The applications were no longer signed by  
14 Mr. Nourain and were now being signed by Mr. Price. And  
15 through this, they were no longer signed in blank. Also,  
16 Liberty -- also, we had a compliance officer, Mr. Berkman,  
17 who oversaw this. And I have frequent contact with Mr.  
18 Berkman now.

19 Q Sir, I'd like you to turn to the skinny volume  
20 which is a Liberty/Bureau Exhibit 1. Is Liberty/Bureau  
21 Exhibit 1 familiar to you, sir?

22 A Yes, it is.

23 Q Are you the author of this exhibit?

24 A Yes, I am.

25 Q And what -- just can you tell the Court what this

1 exhibit is.

2 A This exhibit along with the attached memorandum is  
3 an inventory of the state of Liberty's licenses.

4 Q Tell me, sir, did anyone at Liberty ask you to do  
5 this inventory?

6 A Not specifically. This one, no.

7 Q Why did you do it?

8 A We had had a practice before I started at Liberty  
9 that we would issue these -- Pepper & Corazzini would issue  
10 these inventories to Liberty. I think I may have done one  
11 other one very, very early on. I'm not sure. But -- so  
12 there was a standing practice that Liberty would -- would  
13 get these inventories.

14 Q Okay. Did you look at -- at the earlier  
15 inventories before you did this one?

16 A Yes, I did.

17 Q Okay. I'd like you to just point -- I'd like to  
18 point out to you -- point you to in the thicker volume  
19 Cablevision -- Time Warner/Cablevision's Exhibit 3. Well,  
20 let's go -- let's go -- let's do 3 first. Did -- was this  
21 one of the inventories that you looked at?

22 A Yes. I think so.

23 Q Okay. And how about -- how about 4?

24 A Possibly.

25 Q 6?

1 A Possibly.

2 Q Okay. Sir, does your inventory differ in any way  
3 from the earlier inventories?

4 A Yes, substantially.

5 Q Okay. Tell me how.

6 A If you look -- the -- the inventories prior to  
7 February 24th did not -- only indicated whether or not --  
8 only indicated that a certain path had been granted and  
9 didn't contain as much comprehensive information as mine.  
10 For example, the public notice acceptance date, the grant  
11 dates, the number of days it had been pending, the type of  
12 application it was, and in some instances the file number.

13 Q The ones before February 24th just had information  
14 regarding the granted paths.

15 A That's correct, yes.

16 Q If a person at Liberty already knew which paths  
17 were granted, that would be of no information -- of no use  
18 to them.

19 A That's correct.

20 MR. HOLT: Objection. The Witness can't respond  
21 to what a person at Liberty may or may not have determined  
22 from looking at those.

23 JUDGE SIPPEL: All right. I'll sustain the  
24 objection.

25 MR. BEGLEITER: All right.



1 BY MR. BEGLEITER:

2 Q Why did you decide to do a -- to do an inventory  
3 in February of 1994?

4 A Well, it wasn't that I had picked that date  
5 specifically. I had received some new computer software and  
6 had set up a database. And this inventory was a combination  
7 of putting that database together.

8 Q Okay. Did you discuss this inventory with anyone  
9 at Liberty anytime in February, March or April of 1995?

10 A I may have on purely an administrative note. I  
11 may have said I'm preparing an inventory. But that's all I  
12 would have said.

13 Q All right. Did anyone actually discuss the  
14 substance of your inventory with you?

15 A No.

16 Q Did you attempt to initiate a discussion of this -  
17 - of this -- of this inventory?

18 A No.

19 Q How -- how much time did you work on this  
20 inventory, sir?

21 A Approximately six hours.

22 Q Okay. And did anyone else work on the inventory  
23 at your firm?

24 A Possibly a paralegal may have assisted me in  
25 gathering some of the information necessary

1 Q How much did your firm bill for you an hour back  
2 in -- back in February of 1995?

3 A I don't recall specifically. It may have been  
4 \$80.00 or \$90.00 an hour.

5 Q What do they bill for you now?

6 A \$90.00.

7 Q So it wouldn't have been any more.

8 A Right, exactly.

9 Q So what would you -- could you tell us what you --  
10 what the cost of this inventory was to Liberty?

11 A A rough estimate I would say is maybe \$600.00.

12 Q Excuse me?

13 A Roughly \$600.00.

14 Q Okay. Sir, at the time that you did this  
15 inventory, were you aware that any of the paths that Liberty  
16 was transmitting on was activated?

17 A No, I was not.

18 Q Did you make any kind of attempt to determine  
19 whether they were -- that there weren't unauthorized paths?

20 A No, I did not.

21 Q Okay. Would you have had the information  
22 necessary at -- in your files to determine that there were  
23 these -- that there were these unauthorized paths?

24 A No.

25 Q Okay. We now know there were unauthorized paths

1 in February, don't we?

2 A Yes.

3 Q Did you -- did you later get involved with a  
4 gentleman named Steven Coran?

5 A Yes.

6 Q Could you tell us what that's all about, sir?

7 A I was dealing --

8 MR. HOLT: Objection. Could we have a time frame?

9 MR. BEGLEITER: Later. Okay. I'm going to ask  
10 that question, Judge.

11 JUDGE SIPPEL: Yes. Go ahead. I'm going to  
12 overrule the objection.

13 MR. BEGLEITER: Okay.

14 JUDGE SIPPEL: That's not an objection. You go  
15 ahead and do it your way. But let's get the date in.

16 MR. BEGLEITER: Okay.

17 BY MR. BEGLEITER:

18 Q Do you recall getting involved with a man named  
19 Mr. Steven Coran?

20 A Yes.

21 Q Who was he?

22 A Steven -- Mr. Coran was the attorney for a  
23 potential buyer for Liberty.

24 Q And, sir, did there come a time when -- I'd like  
25 you to turn to Exhibit -- I'll find it in a moment. I

1 apologize. Here it is. Exhibit 16 in the thicker volume,  
2 the Time Warner/Cablevision Exhibit 16.

3 A Yes.

4 Q Are you the author of Time Warner/Cablevision 16?

5 A Yes.

6 Q Okay. And why did you write this particular  
7 memorandum?

8 A This was a way for me to reference what certain  
9 inconsistencies were between what I had in my database and  
10 what Mr. Coran had made available to me.

11 Q What were the nature of these inconsistencies?

12 A The nature of these inconsistencies were primarily  
13 a difference in azimuth -- the types of inconsistencies were  
14 purely related to the license, whether or not the license  
15 had been granted or the form of the license. This was done  
16 in the process of due diligence to --

17 Q At the time that you wrote this, did you have any  
18 idea that Liberty was transmitting unauthorized paths?

19 A No, I did not.

20 Q Were the inconsistencies involved with  
21 unauthorized paths -- were those the nature of the  
22 inconsistencies?

23 A Could you ask it again.

24 Q I'll withdraw the question. The question isn't  
25 articulate. I think -- I think -- well, okay. Did you

1 discuss this memorandum -- did you discuss your -- with  
2 Steve Coran -- did you have a discussion with Steve Coran  
3 concerning this issue?

4 A Yes, I did.

5 Q Did you and Mr. Coran ever discuss Liberty's  
6 transmission on unauthorized paths?

7 A No, we did not.

8 Q Did you know there were unauthorized paths when  
9 you --

10 A No, I did not.

11 Q -- when this memo was written?

12 MR. BEGLEITER: Your Honor, I give the Witness to  
13 the other parties.

14 JUDGE SIPPEL: Okay. Thank you, Mr. Begleiter.  
15 Who's going to go first this morning? Mr. Beckner?

16 MR. BECKNER: Your Honor, do you want me to go  
17 ahead and begin or do you want to take a ten minute break?  
18 It's almost 11:00.

19 JUDGE SIPPEL: Well --

20 MR. BECKNER: What's your --

21 JUDGE SIPPEL: We're pretty fresh at this time.  
22 If you're ready to go --

23 MR. BECKNER: Okay. No, I'm ready to go.

24 //

25 //

## CROSS EXAMINATION

1

2

BY MR. BECKNER:

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A Generally yes.

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A Yes.

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A That's correct.

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A Yes, that's correct.

1 Q And those two things came in at different times.

2 A Yes. Yes, they did.

3 Q So the first thing that you would get would be the  
4 frequency coordination, is that right?

5 A The prior coordination notice and the application  
6 materials, yes.

7 Q Okay. And the prior coordination notice was the  
8 document that COMSEARCH sent out to all of the other  
9 microwave users who might potentially be affected by the  
10 proposed new path, correct?

11 A Yes.

12 Q And then at the conclusion of the coordination  
13 period which you said was 30 days, COMSEARCH would send you  
14 the supplemental showing of wherein they would state that no  
15 one had complained about the proposed new path, is that  
16 right?

17 A Yes. Yes.

18 Q All right. And following your receipt of the  
19 supplemental showing, about how much time elapsed between  
20 when you received that and when you actually filed the  
21 application?

22 A Sometimes right away. Maybe two weeks.

23 Q So the time lapse was anywhere between zero days  
24 and two weeks?

25 A After I got the supplemental showing, yes.

1 Q Okay. Would -- in organizing your own work in the  
2 office in terms of what was to be done first and second for  
3 your various clients, did you ever call Mr. Nourain or  
4 anyone else at Liberty and ask them whether or not it would  
5 be okay if you took a week or ten days to file an  
6 application for which you had received a supplemental  
7 showing?

8 A No.

9 Q So the -- your client had no way of knowing in  
10 advance whether or not you were filing an application  
11 immediately upon receipt of the supplemental showing or two  
12 weeks later?

13 A That's correct.

14 Q All right. Now, there -- there is a procedure, is  
15 there not, by which this 30 day coordination period can be  
16 shortened, isn't that correct?

17 A Yes.

18 Q Okay. Can you just tell us briefly how that  
19 procedure worked, if you know?

20 A I'm not -- I'm not a coordinator. But COMSEARCH  
21 has a practice of conducting expedited coordinations,  
22 although I am aware that even these expedited coordinations  
23 are still technically subject to the 30 day period contained  
24 in Part 21 of the rules.

25 Q Well, are you saying that the Commission's rules



1     require 30 days no matter what or -- or is there some  
2     provision --

3           A     That's my belief. But -- yes, that's -- I've --  
4     I've had other occasions where I -- in my dealings with  
5     COMSEARCH where I've asked COMSEARCH to do an expedited  
6     coordination. And they have told me that if someone really  
7     wanted to object, they could do so within that 30 day  
8     period.

9           Q     Well, by how much does the expedited coordination  
10    shorten the 30 day period?

11          A     It depends on how fast COMSEARCH can do it I  
12    suppose.

13          Q     In your own experience, have you seen how much it  
14    shortens the period? I mean, is it a week? Is it two  
15    weeks, three weeks?

16          A     It doesn't really -- it's supposed to shorten it,  
17    but it doesn't really shorten it that much. Maybe -- the  
18    coordination may take 15 -- 15 to 20 days.

19          Q     With respect to Liberty, do you know whether or  
20    not any of these coordinations that were done in the period  
21    that we've been talking about, that is, from June '94  
22    through let's say the middle of April '95, were done on an  
23    expedited basis?

24          A     I don't believe so, no.

25          Q     Okay. But you have done expedited frequency -- or

1 you have done applications for Liberty when expedited  
2 coordination was done, isn't that correct?

3 A Yes.

4 Q Okay. In those instances, were you the one who  
5 requested COMSEARCH to do the expedition or did Liberty do  
6 it?

7 A I don't recall.

8 Q You may have done it but you just don't know?

9 A Yes, I don't recall.

10 Q All right. Now, following your receipt of the  
11 supplemental showing, did you have everything that you  
12 needed to get into -- to actually prepare the application  
13 for the new path?

14 A Generally yes.

15 Q Okay. And was there a time in your usual  
16 procedure when you would send a draft of the application to  
17 someone at Liberty for their review?

18 A There may have been, but generally no.

19 Q Well, I'd like you to take a look at -- just by  
20 way of example, we have at Exhibit 25 -- Time  
21 Warner/Cablevision Exhibit 25. It's Tab 25 in the book. I  
22 think you may have looked at that earlier in the direct.

23 A Yes.

24 Q Now, understand that this is a copy of an  
25 application that was filed in July 1995. And what I'm

1 asking you about is just to illustrate some points with  
2 using this particular application. On pages 2 and 3 of the  
3 exhibit which is a copy of the front and back side of FCC  
4 Form 402, is there some information on this form which would  
5 be unique to the particular path for which an application  
6 was being filed?

7 A To the particular path?

8 Q Yes.

9 A No, not necessarily. Well, nothing that's  
10 included in here. If you'll notice under technical  
11 information, it says, "See attached." That would be  
12 particular to each path, the exhibits that include the  
13 technical information for each path. Yes, that would  
14 change.

15 Q Okay. Now, I want you to take a look at the -- at  
16 the certification which is at the bottom of the Form 402 on  
17 the form. There's a bunch of bullets there. And each  
18 bullet indicates an undertaking by the applicant. Now, the  
19 applicant in the form is not the lawyer who files it. It's  
20 the company on whose -- on whose behalf the form is filed,  
21 correct?

22 A Yes. I understand that, yes.

23 Q Okay. Now, your testimony is that Mr. Nourain  
24 signed these forms in blank, is that correct?

25 A Yes, he did.

1 Q And -- and then when you were preparing or your  
2 secretary was preparing the form in your office, would you  
3 type in or she type in or he type in the date?

4 A Yes.

5 Q Okay.

6 A I believe sometimes when we sent these forms to  
7 Mr. Nourain, some of the information on this page was also  
8 typed in. I believe I had testified to that earlier.

9 Q Okay. Well, let's -- I mean, let's get to that.  
10 Forgive me for saying, but there's no much information on  
11 the back of this form. There's a couple of boxes checked.  
12 Is that what you mean that was typed in?

13 A Yes.

14 Q Okay. So the box at 17(a) and the box at 18 was  
15 checked. And was the word, "See attached", typed next to  
16 the Section 3 heading there?

17 A Yes.

18 Q Okay.

19 A This might not have been in all cases. And, also,  
20 the date in question 19 probably would not have appeared.

21 Q Now, the -- the last bullet of the certification  
22 says, "Applicant certifies that all statements made in the  
23 application and attachments are true and correct." And if I  
24 understand your testimony, what you're saying is is that in  
25 fact Mr. Nourain who signed this form did not in every

1 instance review the application and its attachments to see  
2 that it was true and correct. Sometimes he did or sometimes  
3 he reviewed pieces of it.

4 A He had occasion to know everything that was in  
5 each and every one of these applications.

6 Q Well, I understand that he had occasion to know.  
7 But the fact is is that the information that was unique to a  
8 particular application was information that he supplied to  
9 COMSEARCH, correct?

10 A That's correct.

11 Q And if COMSEARCH perhaps made an error in -- in  
12 taking down the information from him which ultimately was  
13 reflected in something that was attached to this form, Mr.  
14 Nourain would have no opportunity to see and correct that  
15 error.

16 A From what I understand, COMSEARCH -- and I don't  
17 work at COMSEARCH. But from what I understand, part of the  
18 COMSEARCH procedure was to verify all the information with  
19 Mr. Nourain after Mr. Nourain had supplied COMSEARCH with  
20 the material.

21 Q But -- but -- but you didn't verify that  
22 information with Mr. Nourain yourself, is that correct?

23 A If I saw occasion that something looked out of the  
24 ordinary, I would.

25 Q But as a matter of routine practice, you didn't

1 verify it?

2 A No.

3 Q Okay. At the time that -- that you were doing  
4 these things, were you aware of what you just testified to;  
5 that is, that COMSEARCH was verifying this information?

6 A Yes.

7 Q Okay. Now, I think you said in the direct  
8 testimony that you -- you did confer with Mr. Nourain on  
9 applications from time to time.

10 A Yes, I did.

11 Q Can you tell us during the period June '94 through  
12 the middle of April '95 how often or what percentage of the  
13 applications you prepared you conferred with Mr. Nourain  
14 about?

15 A I don't recall specifically. But I would say  
16 probably at least once with every application.

17 Q So you would -- you would speak with him at least  
18 once about every application that you were filing during the  
19 period?

20 A Yes.

21 Q And what would the nature of those calls be, if  
22 you can tell us?

23 A Primarily on the status or if I had any question  
24 with the technical information that was being provided.

25 Q When you say "primarily on the status", I mean,

1 can you explain what you meant by that?

2 A Well, you know, where the prior coordination --  
3 you know, when we were about to file; for example, if it was  
4 getting the 30 day coordination period and we were expecting  
5 a supplemental showing. So, you know, when we would be  
6 ready to file this.

7 Q So, I mean, in that kind of a call, would you call  
8 him and say, Mr. Nourain, the 30 day period is about to  
9 expire; we're expecting a supplemental showing and we'll be  
10 filing in a few days?

11 A I might have had occasion to do that, yes.

12 Q Okay. Did -- did you recall whether or not Mr.  
13 Nourain initiated any kind of calls to you asking about the  
14 status of --

15 A Yes.

16 Q -- an application? He did?

17 A Yes.

18 Q Okay. And do you recall whether or not, for  
19 example, he -- he called you at some point and said, for  
20 example, I -- I asked COMSEARCH to do coordination for a new  
21 path five weeks ago; have you filed the application yet?  
22 Did he make that kind of a call to you?

23 A I don't recall specifically, but it's entirely  
24 possible.

25 Q Well, can you tell us in a -- more generally

1 whether or not he ever called you to ask you whether or not  
2 you had filed an application for which he said he had --

3 A Yes.

4 Q -- already initiated the process?

5 A Yes.

6 Q And the answer is yes, he did?

7 A Yes.

8 Q Okay. Now, these calls, did -- did you have  
9 occasion to -- at the time you were receiving or making  
10 these calls to Mr. Nourain, did you write that down on your  
11 billing sheet?

12 A Yes, I believe -- I believe they ended up in the  
13 time -- in my time sheets, yes.

14 Q So that, again, just speaking by way of example,  
15 supposing you had a telephone call with Mr. Nourain on  
16 November 10th, 1994, again by way of example, you would  
17 write down on your billing sheet for that day something like  
18 telephone call with Nourain about application? Would that  
19 be your usual practice?

20 A Roughly, yes. Yes.

21 Q And then you would write down the amount of time  
22 that you spent on that call?

23 A Yes.

24 Q Would your usual practice to have been to write  
25 down anything more about the call other than the name of the



1 person you called and the subject of the call?

2 A I don't believe so, no.

3 Q I mean, that's not your usual practice?

4 A No. I mean, basically describing the call.

5 Q So it would be simply, you know, call with Nourain  
6 about application. That would be the kind of entry you  
7 would make?

8 A True.

9 Q Now, after you had prepared and -- prepared the  
10 complete application and filed it with the FCC, did you  
11 advise Mr. Nourain or anyone else at Liberty that in fact  
12 you had now filed the application for a particular path?

13 A Yes. As I testified earlier, on the same day that  
14 I filed the application with the FCC, a copy went to Mr.  
15 Nourain.

16 Q So you sent him an as-filed copy for his records?

17 A That's correct.

18 Q Did you send any kind of a copy to anyone else at  
19 Liberty other than Mr. Nourain?

20 A I don't recall specifically. It's possible.

21 Q But I take it your usual practice was only to send  
22 the copy to Mr. Nourain?

23 A Yes.

24 Q Okay. During the time that you've been testifying  
25 about, I think you mentioned that you were working for